

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



MANNKIND CORPORATION,

Plaintiff,

v.

TERESA STANEK REA, Acting Under
Secretary of Commerce for Intellectual Property
and Director of the United States Patent and
Trademark Office,

Defendant.

Civil Action No. 1:13-cv-00172
(TSE/TCB)

ORDER

All parties to this litigation having jointly moved the court to stay the proceedings in this civil action pending a final decision on appeal by the Federal Circuit in *Exelixis, Inc. v. Rea*, No. 2013-1175 (Fed. Cir.) ("*Exelixis I*"), and *Exelixis, Inc. v. Rea*, No. 2013-1198 (Fed. Cir.) ("*Exelixis II*"), and for good cause shown, it is hereby

ORDERED that the parties' joint motion is GRANTED; and it is further

ORDERED that the present litigation is STAYED and held in abeyance pending a final decision on appeal by the Federal Circuit in *Exelixis I* and *Exelixis II*; and it is further

ORDERED that the parties shall submit a report to this Court within 21 days of the Federal Circuit's decision on appeal becoming final, providing a proposal for resolving any remaining issues raised in Plaintiff's complaint.

The Clerk is DIRECTED TO PLACE this matter among the inactive matters.

DATED: 4/8/13
Alexandria, Virginia

UNITED STATES DISTRICT JUDGE

/s/
T. S. Ellis, III
United States District Judge